

DR. FRANCIS SCORED.

G. C. Clemens Sharpens His Quill
and Goes for Game.

IN HIS CHARACTERISTIC STYLE.

The Law on the Subject of Policemen
Gunning for Tramps—Some Mis-
taken Notions Punctured.

To the Editor of the State Journal.

SIR:—So much and such varied devilry has been going on late, that I have been absent from the impossibility of deciding which devilry to attack; but the letter signed "W. C. Francis" in Saturday's Journal has enabled me to make up my mind.

Passing with only a smile, his beautiful bulk about the tramp who "resisted arrest by running away," I propose to put him on as a conclusive witness that he is in error when he says "there are none so ignorant in this country that they do not know the functions and duties of a policeman when in uniform" for he shows very clearly that he is just such a person. "A man who knows no officer wants him," says this worshipper of constitutional liberty, "should not run, and if he does, he should take his uniform, even though it were a leaden pillar."

Well, it depends on circumstances. If the officer has no warrant and has no good reason to believe the man has committed some specific penitentiary offense, and the tramp resists, he has no right to shoot him. I should say, speaking as a lawyer, that the tramp is not to run, but should permit the officers to take the leaden pillar. I have a nice class-han-
book and I have been saving for years to
wear at a funeral brought about in that
way.

Mr. Francis should live in Russia, where absurd constitutional limitations born of an equally absurd prejudice in favor of such trifling things as life and liberty would prevent as they must here, the realization of his humane desire that if there is no law, as there is none, authorizing officers to make medical college subjects of tramps, "one should be ennobled."

A long while ago some foolish old English gentlemen who were deprived of the advantage of Mr. Francis' generous advice went so far as actually to threaten an officer known as King John and to compel him to sign a charter guaranteeing that the felon in no man in England should be deprived of life and liberty without due process of law; and the English people have ever since boasted of that scandalous document as the great charter of English liberty.

As recently as 1868, in the full glare, as it were, of nineteenth-century civilization, Wendell Phillips, Charles Sumner and other such like imbeciles, actually got this same thing written into the constitution of the United States; and the same shameful proposition forms part of every state constitution.

The uncles courts—they fell into the habit because Mr. Francis existed to teach them better—made it settled law that under this and other constitutional provisions no man, not even a tramp, can be lawfully arrested or disturbed without a warrant, except in case of a felony or a breach of the peace, committed in the officer's presence. Officer Capron had no warrant, and no offense had been committed in his presence; and when he attempted to arrest his victim, the officer was not himself.

"I am a law-abiding citizen." Had he killed the man, the officer would have been guilty of murder, for our statutes make such a homicide justifiable only when necessarily committed in attempting, by lawful ways and means, to apprehend any person for a felony committed. Mr. Capron's story, as published, is that he saw some men spring together and engaged in conversation. Had they been clad in good "business suits," that would doubtless have been the end of the story; but their varnishes tell far short of the strict requirements of full evening dress, and he went up to the men and—searched them.

By what authority? If Mr. Francis were a Chicagoan and should sit down on the other end of a street to talk with a friend, would he not have a policeman come along and search him—police letters and all? While Capron was commanding this aggravated assault and battery, the police came along and searched him, too, and the two of the men, too, unscrupulously, while away the night. That was their privilege as citizens. It would also have been their privilege as citizens to have inflicted their forces and thrashed the tyrant, and I would have been a great deal happier if they had done it. He ordered them to leave, and shot one of them for disobeying that unlawful order. Mr. Francis says that was right.

What cravens men would be were they to submit to every unlawful indignity everything in uniform might choose to inflict. God forbid that Americans, at least, shall ever come to accept so cow-

SHIVELEY'S
IMMENSE STOCK

Must be closed out within 90 days to make a change & business.

To make adjustments to you to purchase during this CLOSING OUT SALE, I will make the following:

SPECIAL
LOW
PRICES!

Which you ought to take advantage of. My
firm's beginning is on White Goods.

Shawnee Council No. 247 will hold all meetings in A. O. U. W. No. II Hall, at 723 Kansas Avenue, in the future. Members please note. E. G. FOWLER,
Secretary.

How to Improve the Complexion.
Every lady that has used the celebrated Elder Flower Cream recommends it as a great beautifier. It removes freckles, tan, blotches, etc., and leaves the skin soft, clear and beautiful. For sale.

Fine Tincture Linseed oil for 5c.
Fine Torchon lace from 25c to 15c.

AT SHIVELEY'S,
118 EAST SIXTH
STREET.

andry a doctrine. A hundred years ago, Lexington, an officer "when in uniform" exclaimed to a man over whom "Dispense your rebells" and they shot at him. How such inconsideration would have shocked Mr. Francis. As all the history we read is full of such忘記, I presume, Mr. Francis never reads history and that presumption will explain the sentiments expressed in this letter.

An innocent man will not run from an officer? Pray, where is the proof that this man was not innocent? And did not he run? The State Journal's files will show the case, some years ago, of a man rushing late in the night to call a doctor to attend one taken suddenly ill.

The man was chased by a policeman "on suspicion." Was that man bound to submit to his all night in jail and leave his wife to be uncared for at home? Mr. Francis says yes; and that the officer should have shot the perverse wretch. That man shot by Capron says he can be because he did not wish to be kept here on the rock-pile instead of going on home. Everywhere, but in the first class cities of Kansas, that would have been his fate, and being a stranger, he could not know that we had become partially christianized.

There is a man in jail now on bread and water who was sentenced at the urgent request of a Salvation Army evangelist. Imagines, if you can, Jesus of Nazareth appearing in police court to get a poor devil imprisoned for disturbing a meeting held to save not to punish, just such men. We need nothing but the success of Mr. Francis' ideas to complete for the office of councilman from his ward at the primaries Saturday.

Eastman's Strong Language.

W. S. Eastman, the ex-deputy street commissioner, whose services were dispensed with pending an investigation of the charge of corruption in office, urged the council in its only session last night. Eastman spoke in his own defense against the report of the special committee by Chairman Fellows recommending the acceptance of Eastman's resignation.

With the acceptance of the committee's report was put for passage the motion that Eastman wanted to say was his. Mrs. Wolf writes the Journal in relation to the mistaken statement that H. C. Root was endeavoring to collect a debt from her. Mrs. Wolf says "I am not now, nor ever have been indebted to H. C. Root or any one whom he may represent. He was not collecting a bill and his business did not concern me in the least. He came to see other parties and when unavoidable circumstances prevented him from seeing them tried to bully me into delivering keys that were not mine and left in my possession. I do not wish the citizens of Topeka and the readers of your paper to imagine I would prosecute a party for calling on me for a collection."

Defining Anarchy.

To the Editor of the State Journal.

SIR:—When Rev. Mr. Sheddon sets out to enlighten people by quoting definitions, why does he refer them to an old edition of an antiquated publication? Why did he not give the definition of anarchy from the Century dictionary, or, even refer to Labor's Cyclopaedia of Political Science, published a dozen years ago? It is scarcely the man's business to ignore and suppress matter because it does not serve his purpose.

ALDEN S. HULME.

LOCAL MENTION.

A building permit has been issued to P. Mullings to erect a \$10 addition to the business house at lot No. 29, Kansas ave.

Miss Louise Langdon of Chas. P. Holt's "Ten Nights in a Bar Room" company was formerly a member of the "Tuxedo" company.

A building permit has been issued to S. L. Leavitt to erect a six addition to his dwelling house at lot No. 18d, Jefferson street.

The tremendous horn blarrier is nearly completed. It will be a very handsome one. The horns are set in a base about 4x3 feet, covered with green velvet and a mirror in the center. They intend framing it.

John Dahlgreen and Guy Pier were arrested late last night by Officers Donavan and Campbell, of First and Grand streets. They were drunk and fighting. They pleaded guilty this morning in police court and were fined \$10 each.

Frank Kelly, who was charged with stealing \$90 and a pale of suspenders from his brother, William Kelly, and his preliminary hearing, coming yesterday before Justice Grever. He was bound over to the district court on the charge of grand larceny.

The funeral of Perry Tate, who died at his home near Wakarusa on Saturday, took place Sunday afternoon. He was one of the out-siders of Shawnee county, and came here in 1867. In 1869 he represented the southern district of Shawnee County in the legislature.

Walter Taylor charged with shooting Robert Orman, pleads guilty to the charge of assault and battery before Justice Fury yesterday afternoon and was fined \$1 and costs, amounting to \$2.

The charge was reduced by Orman's father from "assaulting with intent to kill" to "assault and battery."

The following is a list of the members of Chas. P. Holt's "Ten Nights in a Bar Room" company: H. Nelson, Harry Lindsey, Roy Davis, E. G. Trebilcot, Early Burgess, Elmer Earle, H. H. Schmeidling, James A. A. Swayne, Chase Cook, Andrew Brown, Prat Ali, and Nelle Beutle, David Stanley and Louis Langdon.

The Lodge of Good Templars that used to exist in Topeka have digged one in the last few years. Last night a new one was started at Modell & Little's store. The principal organizers of it are George E. Dougherty, Mrs. Geo. E. Little, Mattie A. Burris, George B. Stein, Miss Annie Little, G. F. Kinniball, W. J. Buckenbaker, Noble & Sons, Florence Kimball and Wm. H. Fox.

Gold watches, pianos, carriages and musical instruments will be assessed at 50 per cent of their actual value by the Shawnee county assessors this year. Work horses at \$25, which is \$3 less than last year. Milk cows are to be assessed at 50 per cent of their real value. All bonds and interest on bonds will be assessed at 50 per cent of their true value. This was decided upon by the board of assessors of Shawnee county yesterday.

National Union Notice.

Shawnee Council No. 247 will hold all meetings in A. O. U. W. No. II Hall, at 723 Kansas Avenue, in the future. Members please note. E. G. FOWLER,
Secretary.

How to Improve the Complexion.
Every lady that has used the celebrated Elder Flower Cream recommends it as a great beautifier. It removes freckles, tan, blotches, etc., and leaves the skin soft, clear and beautiful. For sale.

City Attorney Tillotson complained as a private citizen, of the big peanut stand in the street on the Bank of Topeka corner. This was allowed to be put there at the last council meeting. The attorney said if any accident resulted from it the

HIGHLY SENSATIONAL.

W. S. Eastman Vents His Feelings Before the Council.

SOME HIGHLY HEATED REMARKS.

He Wants an Examination of His Case—The Midland Banks Again...

Small business only characterized the meeting of the city council last night. The mayor, all the councilmen and city officers, and an unusually big crowd of spectators were present.

The first act of the session was the presentation by Mayor Harrison of the resignation of Councilman John Troutman of the First ward, which he has carried in his inside pocket for more than a week. It was accepted without debate, and Mayor Harrison appointed J. D. Patterson as his successor. Mr. Patterson came in late and was administered the oath of office by City Clerk McFadden, and he took at once Mr. Troutman's vacant chair. Mr. Patterson is the gentleman who was nominated for the office of councilman from his ward at the primaries Saturday.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution ordering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from loitering in the streets and alleys after 10 o'clock. He made the resolution at the request of the police, not much as a moral protection to keep the boys from going wrong, but to give the police some way to proceed against the bad, bad boys who steal laprobes and everything else they can after dark. The resolution passed unanimously.

The scale ordinance which was defeated at the last council meeting was reconsidered and referred to the ways and means committee.

Mr. Ellinger offered a resolution or-

dering the city attorney to draw up an ordinance to prevent boys under 21 years of age from